United Nations ST/SG/AC.10/C.3/2015/10

Secretariat

Distr.: General
24 March 2015

Original: English

Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

Sub-Committee of Experts on the Transport of Dangerous Goods

Forty-seventh session
Geneva, 22 June – 26 June 2015
Item 2 (i) of the provisional agenda
Explosives and related matters: miscellaneous

Ammonium nitrate emulsions (UN3375) – Special provision 309

Transmitted by the Australian Explosives Industry Safety Group (AEISG)[1]

Introduction

1. This proposal is to remove the requirement for Competent Authority approval to classify products as UN 3375 when the product meets the formulation outlined in SP309 and passes negative (-) results the relevant Series 8 tests.

2. The entry for UN 3375, AMMONIUM NITRATE EMULSION or SUSPENSION or GEL, intermediate for blasting explosives, in the Dangerous Goods List in Chapter 3.2 of the United Nations Recommendations on the Transport of Dangerous Goods, Model Regulations, eighteenth revised edition, includes in Column 6 a reference to special provision SP309.

3. SP309 states in paragraph 4 (refer to Chapter 3.3):

> "Substances shall satisfactorily pass Tests 8(a), (b) and (c) of Test Series 8 of the Manual of Tests and Criteria, Part I, Section 18 and be approved by the competent authority.".

[1] In accordance with the programme of work of the Sub-Committee for 2015–2016 approved by the Committee at its seventh session (see ST/SG/AC.10/C.3/92, paragraph 95 and ST/SG/AC.10/42, para. 15).

Discussion

4. At the forty-first session of the Sub-Committee, AEISG submitted a formal paper ST/SG/AC.10/C.3/2012/15 seeking to:

(a) Clarify the testing requirements as outlined in SP309 for classifying substances as UN 3375, AMMONIUM NITRATE EMULSION or SUSPENSION or GEL, intermediate for blasting explosives, and

(b) Remove the requirement for competent authority approval of such substances.

5. The Working Group on Explosives , and subsequently the Sub-Committee accepted the changes clarifying the test requirements in SP309, but did not support the removal of the requirement for competent authority approval of the substance following satisfactory testing as outlined. In its report to the Sub-Committee (Informal document INF.67, 41st session) the Working Group on Explosives noted:

"For various reasons, such as the desire to control tank transport through conditions in the approval certificate and the desire to continue to control assignment to UN3375, several experts supported the retention of the competent authority approval requirement."

6. Tank transport of substances in UN3375 is controlled by Tank Special Provision TP9, which requires Competent Authority approval and hence the desire expressed by the Explosives Working Group to continue control in this area is maintained by this provision.

7. When substances perform satisfactorily in tests properly documented in the Manual of Tests and Criteria, it is not usual that those substances then also need to be approved by the Competent Authority. Dangerous goods other than explosives are normally classified by the consignor, with Competent Authority involvement only when specifically prescribed in the Model Regulations. (see 2.0.0).

8. Substances are routinely excluded from Class 1 using the satisfactory performance in Test Series 2 without the additional approval of the substance by the Competent Authority. For example, ammonium nitrate, UN 1942 will be assigned to Hazard Division 5.1 and not 1.5 by the consignor using Special provision SP306 (passing Test Series 2). All organic peroxides and self-reactive substances are classified by the consignor.

9. Test Series 8 has been used for several years now, has recently been comprehensively reviewed to provide clarity on critical parameters and criteria and is now an established Test Series within the Manual of Tests and Criteria. Hence, for entries in UN 3375, satisfactory performance in the relevant tests (Test Series 8 (a), (b) and (c)) is now considered sufficient basis for proper classification without the additional and unnecessary approval of each substance by the Competent Authority.

10. The requirement to obtain an additional approval following satisfactory testing has become a purely administrative process placing additional burden on both industry and the regulatory authorities, some of which have no legislative capacity or desire to issue approvals. Subsequently, industry experiences significant delays in meeting this administrative process in each and every relevant jurisdiction.

Proposal

11. Given that transport of UN3375 substances in tanks remains under the control of Competent Authorities by Tank Special Provision TP9, it is proposed to amend SP309 (final sentence only) such that it maintains the relevant tests of Test Series 8, and removes

the additional requirement for each substance to be approved by the competent authority, as follows:

"Substances shall satisfactorily pass Tests 8(a), (b) and (c) of Test Series 8 of the *Manual of Tests and Criteria*, Part I, Section 18."